

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WISCONSIN LABORERS HEALTH FUND, et. al,

Plaintiffs,

ORDER

v.

20-cv-539-wmc

VAN MINSEL BROS CONSTRUCTION, LLC,
and SCOTT VAN MINSEL

Defendants.

On April 22, 2021, the court granted in part and reserved in part on plaintiffs' request for default judgment. (Dkt. #22.) In that order, the court awarded partial default judgment in favor of plaintiffs Wisconsin Laborers District Council, International Union of Bricklayers and Allied Craftworkers, and Bricklayers & Allied Craftworkers District Council of Wisconsin against defendant Scott Van Minsel in the amount of \$46,794.86, \$16,371.62 of which is due joint and several with defendant Van Minsel Bros Construction, LLC.

However, defendants were given a ten day notice period to object to a revised damage request of \$249,238.53 by plaintiffs, who had initially requested a lower amount that inadvertently did not include attorneys' fees and costs. The notice period has now expired with no word from defendants, and as already explained in the court's previous opinion and order, plaintiffs have produced sufficient evidence to support their revised award and so an entry of default judgment in that amount is proper.

Plaintiffs were also given ten days to amend and serve a new complaint to state additional claims against defendant Scott Van Minsel. However, plaintiffs have now notified the court that they do not intend to do so. (Dkt. #23.)

As a result, there are no other disputed matters, and consistent with both this ruling and the court's earlier order (dkt. #22), IT IS ORDERED that:

- (1) Final judgment is awarded in favor of plaintiffs Wisconsin Laborers Health Fund, Wisconsin Laborers Pension Fund, Wisconsin Laborers Apprenticeship and Training Fund, Building and Public Works Laborers Vacation Fund, John J. Schmitt (in his capacity as trustee), Wisconsin Laborers District Council, Wisconsin Laborers-Employers Cooperation and Education Trust Fund, Wisconsin Masons Health Care Fund, Wisconsin Masons Pension Fund, Wisconsin Masons Joint Apprenticeship and Training Fund, James Vick (in his capacity as trustee), Bricklayers & Trowel Trades International Pension Fund, International Masonry Institute, International Union of Bricklayers and Allied Craftworkers, Bricklayers and Allied Craftworkers District Council of Wisconsin against defendant Van Minsel Bros Construction, LLC in the total amount of \$249,238.53.
- (2) Final judgment in favor of plaintiffs Wisconsin Laborers District Council, International Union of Bricklayers and Allied Craftworkers, and Bricklayers & Allied Craftworkers District Council of Wisconsin against defendant Scott Van Minsel in the amount of \$46,794.86, \$16,371.62 of which is due joint and several with defendant Van Minsel Bros Construction, LLC.
- (3) The clerk's office is directed to enter judgment consistent with this order and close this case.

Entered this 7th day of May, 2021.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge